

State of Washington  
Department of Ecology  
Yakima Washington

IN THE MATTER OF APPLICATION FOR CHANGE BY )  
OROVILLE-TONASKET IRRIGATION DISTRICT )  
REQUESTING A CHANGE IN THE PLACE OF USE ) Emergency Drought  
AND POINT OF DIVERSION OF WATER UNDER ) Change Authorization  
SIMILKAMEEN RIVER ADJUDICATED SURFACE )  
WATER CERTIFICATE NO. 1 PAGE NO. 2 )

In accordance with the provisions of RCW 43.83B.405, on March 14, 2001, it was ordered and determined by the Director of the Department of Ecology that the State of Washington is under drought conditions. In accordance with the provisions of WAC 176-166-060, the Department of Ecology is under the terms of this Order, issuing an EMERGENCY DROUGHT CHANGE AUTHORIZATION. The intent of this authorization is to alleviate hardships and reduce the burdens on water users arising from the drought conditions.

**Background**

On May 4, 2001, Oroville-Tonasket Irrigation District (OTID) filed an application to change existing water rights in Okanogan County to other property in Okanogan County. Irrigation on their lands is authorized under existing non-interruptible water right.

WAC 173-166-080 allows the state to authorize temporary transfers of irrigation rights provided that the acreage on the second parcel does not exceed the acreage reduction on the first parcel.

**Similkameen River Adjudicated Surface Water Certificate No 1 Page No 2**  
**(Adjudicated Certificate 1)**

Adjudicated Certificate 1, with a priority date of March 1912, was issued to the West Okanogan Valley Irrigation District and authorized the diversion of various monthly amounts with a maximum 186 cubic feet per second (cfs) during July and a total of 49,351 acre-feet per year to irrigate 10,000 acres within the boundaries of the OTID. The point of diversion is the Similkameen River approximately 575 feet westerly from the meander corner of the east line of Section 7, T. 40 N., R. 26 E.W.M. on the north side of the Similkameen River.

The applicant proposes to change the irrigation of 60.80 acres of non-interruptible water rights of Adjudicated Certificate 1 to another property down river.

The new place of use contains 103 acres located on property currently provided irrigation water under Surface Water Certificate No. 7827, which is not subject to interruption when the Okanogan River falls below the minimum flow levels established in Chapter 173-549-020 WAC. The entire 103 acres authorized irrigation under Certificate No. 7827 was transferred down river to another property under Emergency Drought Application No. CS4-SWC7827. This application is to replace some of the water transferred earlier.

Adjudicated Certificate No. 1 authorized the irrigation of 10,000 acres located within the OTID.

The two (2) new emergency points of diversion for Adjudicated Certificate 1 will be from the Okanogan River located within Government Lot 1, Section 6, T. 35 N., R. 27 E.W.M., and Government Lots 3 and 4 within Section 31, T. 36 N., R. 27 E.W.M.

To expedite and simplify this decision, Ecology has determined that these lands enjoy water rights for a full duty of water for each acre irrigated and will consider transferring a water duty for each acre not irrigated to other lands, based on Adjudicated Certificate No. 1.

Approximately 60.80 acres of irrigation will not occur on the authorized place of use this year under Adjudicated Certificate No. 1 and it is proposed that this amount of irrigation be transferred down river.



**Conclusions and Decision**

Authorizing these changes of water rights down river along the Okanogan River will not impair existing water rights.

This **DROUGHT EMERGENCY CHANGE DECISION** authorizes the transfer of 60 acres of irrigation under Adjudicated Certificate 1 in Okanogan County to other property in Okanogan County described as follows:

A part of the NE¼ of Section 6, T. 35 N., R. 27 E.W.M., lying westerly of the Okanogan River, 20 acres and a part of the SE¼ of Section 31, T. 26 N., R. 27 E.W.M., lying westerly of the Okanogan River, 40 acres.

A water duty of 0.017 cfs and 4 acre feet per acre is authorized for use on the property.

The point of diversion is the existing points of diversion authorized under Certificate No. 7827 located within Government Lot 1, Section 6, T. 35 N., R. 27 E.W.M. and Government Lots 3 and 4 within Section 31, T. 36 N., R. 27 E.W.M.

**Provisions**

The following provisions shall apply to this change authorization:

Within 15 days of receipt of this authorization, the applicant shall submit a map to Ecology showing the lands (69.80 acres) formerly irrigated under Adjudicated Certificate 1 that will not be irrigated under this right and the lands (60 acres) to be irrigated at the new place of use as a result of this change.

A measuring device approved by the Department of Ecology must be installed prior to use of the water.

Bi-weekly (every 2 weeks) readings of the measuring device shall be recorded and shall include the date and time of measurement, water flow rate, volume of water, and the name of the person taking the meter readings. Within thirty (30) days of the end of this irrigation season, the permittee shall send a copy of this data to the Central Regional Office.

This drought emergency authorization expires on October 31, 2001.

REPORT BY: Philip N. Kerr DATE: MAY 21, 2001  
Philip N. Kerr, Water Resources

APPROVED BY: [Signature] DATE: 5/21/2001  
Robert F. Barwin, Section Manager

DM:gg  
010561

Enclosure(s):